

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES *ex rel.* JOHN A. WOOD, et al.,

Plaintiff-Relator,

-v-

ALLERGAN, INC.,

Defendant.
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18-CV-9857 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

On February 8, 2019, Defendant filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

Accordingly, it is hereby ORDERED that Plaintiff-Relator shall file any amended complaint by **March 1, 2019**. Plaintiff-Relator will not be given any further opportunity to amend the complaint to address issues raised by the motion to dismiss.

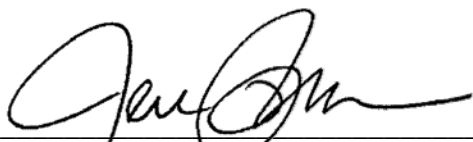
If Plaintiff-Relator does amend, by three (3) weeks after the amended complaint is filed, Defendant shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter stating that it relies on the previously filed motion to dismiss. If Defendant files an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot.

It is further ORDERED that if no amended complaint is filed, Plaintiff-Relator shall — in accordance with the Scheduling Order at Docket No. 27 — file any opposition to the motion to dismiss by **March 11, 2019**. Defendant's reply, if any, shall be filed by **March 25, 2019**. At the time any reply is served, the moving party shall supply the Court with one courtesy hard copy of all motion papers by mailing or delivering them to the United States Courthouse, 40 Centre Street, New York, New York.

Additionally, on February 1, 2019, the Court denied Plaintiff-Relator's Motion to Apply Equitable Tolling, filed at Docket No. 19. *See* Docket No. 27. Accordingly, the Clerk of Court is directed to terminate Docket No. 19.

SO ORDERED.

Dated: February 12, 2019
New York, New York



JESSE M. FURMAN
United States District Judge